

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 4318 of 2007(L)

PETITIONER:

SASIDHARAN, ERATTORAL,
MUDAKKALLORE, ATHOLI, KOZHIKODE.

BY ADV. SRI.P.P.JACOB
SRI.B.MANIMOHAN

RESPONDENTS:

1. PURUSHOTHAMAN, S/O.KUMARAN,
VELLACHIRAMKANDY HOUSE, ANASSERY,
THALAKKALATHOOR, KOZHIKODE.
2. SUB INSPECTOR OF POLICE,
ELATHUR POLICE STATION, KOZHIKODE.
3. CIRCLE INSPECTOR OF POLICE,
NADAKKAVU POLICE STATION, KOZHIKODE.
4. MINING AND GEOLOGY DEPARTMENT
DISTRICT OFFICE, KOZHIKODE REPRESENTED
BY THE GEOLOGIST.

ADDL.R5 TO R7 IMPEADED.

5. OFFICE OF THE POLLUTION CONTROL BOARD,
SAMURIN'S SQUARE, KOZHIKODE, REP. BY AUTHORISED
OFFICER.
6. THALAKALATHOOR GRAMA PANCHAYATH,
THALAKALATHOOR, KOZHIKODE, REP. BY ITS
SECRETARY.
7. THE DIST. COLLECTOR,
CIVIL STATION, KOZHIKODE.
ARE IMPEADED VIDE ORDER DT.13.2.2007 ON
IA 2292/07.

R1 TO R4 & RY BY G.P. SHRI P.A. SALIM

R5 BY ADV. SRI.M.K.CHANDRA MOHANDAS,SC,POLL.C.BOAR

(ADDL. R5 TO R7 IMPEADED AS PER ORDER IN IA 2292/07 DT.13.2.07)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

EXT.P1-TRUE COPY OF CONSENT LETTER OBTAINED FROM THE PROPERTY OWNER TO THE PETITIONER DATED 18.2.2006

EXT.P2-TRUE COPY OF THE LETTER SUBMITTED BEFORE THE TAHSILDAR, KOZHIKODE TALUK DT.10.2.06

EXT.P3-TRUE COPY OF REPORT OF THE VILLAGE OFFICER WITH SKETCH ISSUED TO THE TALUK OFFICE, KOZHIKODE.

EXT.P4-TRUE COPY OF LICENCE ISSUED BY DEPUTY CHIEF CONTROLLER OF EXPLOSIVES, CHENNAI DT.17.4.2006

EXT.P5-TRUE COPY OF PERMIT ISSUED BY GEOLOGIST DT.24.1.2007

J.B. Koshy & T.R. Ramachandran Nair, JJ.

W.P.(C).NO.4318 of 2007-L

Dated this the 5th day of March, 2007

JUDGMENT

Koshy, J.

This is a petition alleging police harassment. If the petitioner has got all the required licenses and he is complying with the conditions in the required licenses, the police shall not harass the petitioner. But police has got the power and duty to see that quarrying is done only in the licensed premises and according to the terms and conditions in the license.

The writ petition is disposed of in the above terms.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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